

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, NOVEMBER 4, 2003 AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: The public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. – 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

ITEM-300: ROLL CALL.

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today’s docket are to be taken at the time the item is heard.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under “Non-Agenda Public Comment.”

COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT

REQUEST FOR CONTINUANCE

The Council will now consider requests to continue specific items.

=== **LEGISLATIVE SCHEDULE** ===

Noticed Hearing

ITEM-330: California Coastal Commission Suggested Modifications to La Jolla Community Plan and Local Coastal Program Land Use Plan. La Jolla Community Plan Area. (Dists. 1 and 2)

CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

=== EXPANDED CITY COUNCIL AGENDA ===

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARING:

ITEM-330: California Coastal Commission Suggested Modifications to La Jolla Community Plan and Local Coastal Program Land Use Plan.

Matter of approving or denying the California Coastal Commission Suggested Modifications to the June 2002 La Jolla Community Plan and Local Coastal Program Land Use Plan.

If approved by the City Council, this item must return to the California Coastal Commission for final certification.

(See City Manager Report CMR-03-212. La Jolla Community Plan Area. Districts-1 and 2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-449)

Adoption of a Resolution declaring that:

1. The reference to Map C-720 is not intended to designate properties as open space beyond those shown on Figure 7 in the 2002 La Jolla Community Plan and Local Coastal Program Land Use Plan.
2. Disturbed or manufactured slopes in areas designated as open space may be considered natural if the disturbance was unauthorized.
3. View preservation from the first public roadway is limited to views across any yard where the yard results from a zone-required setback and does not apply to any undeveloped portion of a lot that is between a structure and the required setback line where the structure is not built to the setback line.
4. Appendix L is intended to provide guidelines for determining the allowable development area and limiting encroachment into sensitive areas for properties designated open space.
5. The guidelines set forth in Appendix L include allowing for development in excess of the twenty-five percent development area where development could occur in the non-sensitive or disturbed portions of the site that are both inside and outside of the open space designation.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARING: (Continued)

ITEM-330: (Continued)

6. The 50% limitation (based on the floor area of the structure) on increases to previously conforming structures is applicable only to structures that are previously conforming with regard to bluff edge setback regulations.
7. Increasing the height of a structure, up to the height allowed in the zone, is not prohibited within a visual access/public vantage point area.
8. That this City Council approves the California Coastal Commission sixty-three suggested modifications to the Council-adopted June 2002 comprehensive update of the La Jolla Community Plan.
9. That the Council hereby repeals the 1967 and 1995 La Jolla Community Plans, the 1972 La Jolla Shores Precise plan, the 1983 La Jolla – La Jolla Shores Local Coastal Program, and the 1980 Fay Avenue Plan.
10. That the Council adopts associated amendments to City of San Diego Progress Guide and General Plan and the Local Coastal Program to incorporate the updated La Jolla Community Plan.

That the updated La Jolla Community Plan and Local Coastal Program Land Use Plan are not effective until unconditionally certified by the California Coastal Commission as a Local Coastal Program amendment.

OTHER RECOMMENDATIONS:

The La Jolla Community Planning Association on April 3, 2003, voted 9-4-2 to direct that the President of the Community Planning Association write a letter to the Mayor and City Council to deny the amendments (suggested by the Coastal Commission) in order to permit the public to have input.

CITY MANAGER SUPPORTING INFORMATION:

Background

The La Jolla Community Plan and Local Coastal Program Land Use Plan is the City of San Diego's adopted statement of policy for growth and development of the La Jolla community planning area for the foreseeable future. The plan proposes specific goals, policies and strategies regarding the future preservation, use and development of land within La Jolla and identifies how the use and development of that land will affect current levels of public services and facilities.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARING: (Continued)

ITEM-330: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

The community plan for La Jolla currently in use is a combination of the 1976 community plan, along with the 1983 LCP (for areas within the coastal zone), the 1995 community plan (for areas outside the coastal zone) and the 1976 La Jolla Shores Precise Plan for the La Jolla Shores portion of the La Jolla community. The draft community plan update represents a consolidation of the 1976 and 1995 La Jolla Community Plans, the La Jolla Shores Precise Plan, the La Jolla/La Jolla Shores Local Coastal Program and the Fay Avenue Plan.

While an update to the La Jolla Community Plan has been in the works for several years, most recently, beginning in January 2000, City Staff worked with the La Jolla Community Planning Association, the La Jolla Town Council, representatives of other community groups, individual members of the community and staff of the CCC on a comprehensive update to the plan. This led to workshops and hearings with the Planning Commission. The City's process culminated with two City Council hearings and approval of the June 2002 draft La Jolla Community Plan on June 4, 2002.

In order for the La Jolla Community Plan to be in effect, the plan must be certified by the CCC. On February 5, 2003, the CCC voted unanimously to conditionally certify the plan with 63 Suggested Modifications. Final and unconditional certification is subject to the City Council accepting all of the suggested modifications. Should the City Council not accept all of the modifications, the updated La Jolla Community Plan will not be certified and the current documents will continue to stay in effect. If this should occur, the entire update process would have to be repeated for an updated community plan to be approved. The City Council does not have the ability to accept only a portion of the modifications.

In their February action, the CCC would not consider the associated rezones that were proposed by City staff and approved by City Council. The CCC's practice is to certify the policy document first and, at a subsequent hearing, consider any implementation actions.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARING: (Continued)

ITEM-330: (Continued)

FISCAL IMPACT:

None with this action. The previously approved April 2002 Public Facilities Financing Plan identifies total project cost for public facilities of \$98,641,898 to be used as the base for calculation of development fees.

Ewell/Goldberg/RM/MT

NOTE: This activity is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3).

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT